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May 16, 2008

**Via FedEx**

Honorable Katharine S. Hayden  
United States District Court Judge  
United States District Court  
District of New Jersey  
U.S. Post Office & Courthouse Building  
Room 311  
Newark, New Jersey 07101

**Re: Anthony Buono  
v. City of Newark, et al.  
Civil Action No.: 06-cv-03414(KSH)  
Our File No. 06-736**

Dear Judge Hayden:

The undersigned represents Plaintiff in the above referenced matter. By way of background Your Honor entered a sixty day order of dismissal in this matter without prejudice on March 11, 2008 with regard to the settlement of this matter reached during the scheduled Pre-Trial Conference before the Honorable Patty Shwartz, U.S.M.J. on March 10, 2008.

I enclose for Your Honor's consideration an Order extending the time by which the parties may move to reopen this matter to enforce the settlement terms. In addition to payment of settlement funds by Defendants to Plaintiff and Plaintiff's counsel, the settlement terms contemplate various non-economic terms which require that the City take certain personnel action, including but not limited to, the reinstatement of my client, who is a Police Officer with the City of Newark, to the rank of Lieutenant as well as his subsequent promotion to Captain on July 1, 2008. Due to the time frame for such personnel actions to be taken by Defendants as contained in the Settlement Agreement, the parties agreed during a conference call with Magistrate Shwartz on May 15, 2008 that the time to reopen this matter to enforce the settlement terms should be extended as provided in the within Order. Magistrate Shwartz agreed with that proposal.

Additionally I note that as the original sixty day Order of Dismissal was set to expire on or about May 10, 2008, I had written to Magistrate Shwartz prior to that date on May 8, 2008 regarding Plaintiff's concerns with regard to enforcement of the settlement terms. Magistrate Shwartz in

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response scheduled a conference call with the parties which took place on May 15, 2008, which has resulted in the within submission to Your Honor. Hence Plaintiff complied with the requirements of Your Honor's original Order entered on March 11, 2008 with regard to our application to reopen this matter within the sixty (60) day period.

For the above stated reasons we respectfully request that Your Honor execute the proposed form of Order so that the parties may have an opportunity to consummate the settlement of this matter while reserving the right to seek enforcement of the terms of the Settlement Agreement.

I thank Your Honor for the Court's attention and courtesies with regard to this matter.

Respectfully submitted,  
**Sciarra & Catrambone, L.L.C.**

By:

  
Jeffrey D. Catrambone (JC 2870)

JDC/j

Enclosure

cc: Hon. Patty Shwartz, U.S.M.J. (w/Enclosure) *(Via Regular Mail)*  
Nuris Portuondo, Esq. (w/Enclosure) *(Via Regular Mail)*  
Ravinder Bhalla, Esq. (w/Enclosure) *(Via Regular Mail)*  
Client (w/Enclosure) *(Via Regular Mail)*